

05/04/2004

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OFFICIAL

Attorney Docket No. CAF-28502/03

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ralph Barclay Ross

Serial No.: 09/889,834

Group Art Unit: 3612

Filed: November 28, 2001

Examiner: Stephen T. Gordon

For: CARGO HANDLING APPARATUS

REPLY TO FINAL REJECTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

05/26/2004 EKCYII 03003327 03003327 In reply to a final office action dated March 3, 2004, Applicant amends the above-
01 FC:2201 referenced application in the following manner:

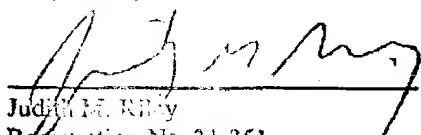
Serial No. 09/889,834
Reply to Office Action of March 3, 2004

flanges of the I-beam shape of element 1. Hence, Robertson teaches a different device from that of the claim 1 invention and cannot possibly anticipate claim 1 nor any claims dependent thereon. Furthermore, there is no teaching or suggestion in Robertson to modify the element 4 such that it would surround the entire I-beam shape of element 1. Accordingly, Robertson also does not render any of claim 1 nor its dependent claims obvious.

Since claim 1 and its dependent claims are neither anticipated by nor obvious over Robertson (or any of the other prior art of record), Applicant submits that they are patentable over the prior art and in condition for immediate allowance. Accordingly, Applicant respectfully requests the examiner to withdraw these rejections and allow these claims.

Should the examiner have any questions or additional suggestions to improve the clarity of the claims, Applicant respectfully requests him to contact the undersigned attorney at the office number below.

Respectfully submitted,



Judith M. Relyea
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Attorney for applicant

Dated: 05/04/04

JMR/gs
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AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Ralph Barclay Rosa

Docket No.

CAF-28502/03

Serial No.
09/889,834Filing Date
11/28/01Examiner
Stephen T. GordonGroup Art Unit
3612

Invention: CARGO HANDLING APPARATUS

T THE C MMISSI NER F R PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDEMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	22 -	29 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable)		<input type="checkbox"/>			\$0.00
					\$0.00
					\$0.00

T TAL ADDITI NAL FEE F R THIS AMENDMENT

- No additional fee is required for amendment.
- Please charge Deposit Account No. in the amount of
- A check in the amount of to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

Judith M. Riley
Signature

Judith M. Riley, Reg. No. 31,561
 Gifford, Krass, Groh, Sprinkle, Anderson &
 Cikowski, P.C.
 280 N. Old Woodward Ave., Ste. 400
 Birmingham, MI 48009
 US

Dated: May 4, 2004

I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence